



General Assembly

January Session, 2003

**Amendment**

LCO No. 7130

\*SB0096907130HDO\*

Offered by:

REP. HAMM, 34<sup>th</sup> Dist.

To: Subst. Senate Bill No. 969

File No. 634

Cal. No. 561

(As Amended by Senate Amendment Schedule "A")

**"AN ACT CONCERNING INVESTIGATIVE SUBPOENAS."**

1 Strike section 8 in its entirety and substitute the following in lieu  
2 thereof:

3 "Sec. 8. (NEW) (*Effective October 1, 2003*) If any witness properly  
4 summoned fails to appear or to produce any property specified in the  
5 subpoena or, if having appeared, fails to answer any proper question,  
6 the prosecuting official may apply to a judge of the Superior Court in  
7 the judicial district as provided in section 5 of this act requesting the  
8 issuance of a *capias* or an order of contempt, as appropriate, with  
9 respect to such witness, except that a witness shall not be considered to  
10 have failed to answer such question if such witness demonstrates  
11 cooperation by truthfully responding "I don't know" or "I don't have  
12 that information". The application of the prosecuting official and the  
13 order of the court shall be sealed as to the public and not be subject to  
14 disclosure. The hearing on the application shall not be open to the

15 public."